IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.761 OF 2007
IN
CRIMINAL APPEAL NO.615 OF 2007

1.Sopan Bhausaheb Gunjal,
2.Mrs.Sitabai Bhausaheb Gunjal,
3.Bhausaheb Kisan Gunjal. ..Applicants.

Versus

The State of Maharashtra. ..Respondent.

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Mr.B.P.Abhale, Adv. for the Applicants.
Mr.P.S.Hingorani, APP, for the State.

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CORAM : R.M.S.KHANDEPARKAR AND SMT.V.K.TAHILRAMANI,JJ.

DATED : SEPTEMBER 21, 2007.

P.C.:-

1. Heard the learned Advocate for the applicants-orig.accused Nos.1, 3 & 4 and the learned APP for the State.

2. The applicants have been convicted mainly under Sections 302, 498-A of IPC. The applicants are now seeking bail.

3. The learned Advocate for the Applicants states that at this stage he is not pressing this application in respect of applicant No.1- Sopan Bhausaheb Gunjal, and he seeks leave to file separate application for bail at a later stage. Leave granted. Thus, this application is being heard and considered only in respect of applicant Nos.2 & 3.

4. Applicant Nos.2 & 3 are the mother-in-law and father-in-law of the deceased Kalpana. Applicant No.2 Mrs.Sitabai Bhausaheb Gunjal was on bail during the trial. The learned Advocate for the Applicants has submitted that she has not misused the liberty granted to her. This statement is not controverted by the prosecution. Moreover, applicant No.2 is a lady. As far as applicant No.3- Bhausaheb Kisan Gunjal is concerned, looking to the evidence on record we find that the evidence in respect of applicant No.3 is of general nature. There are no specific allegations made against applicant No.3. Looking to all these facts, we are

inclined to grant bail to applicant Nos.2 & 3.

5. Applicant No.2- Mrs.Sitabai Bhausaheb Gunjal and applicant No.3-Bhausaheb Kisan Gunjal be released on bail in the sum of Rs.50,000/- (Rs.Fifty Thousand Only) each with one or two sureties to make up the said amount. The applicant Nos.2 & 3 shall report to the Sinnar Police Station, Nashik on first Monday of every month, till disposal of the Appeal. It is made clear that all the observations made in this order are for the purpose of disposing of the bail application.

6. Application is disposed of accordingly.

[R.M.S.KHANDEPARKAR,J.]

[SMT.V.K.TAHILRAMANI,J.]